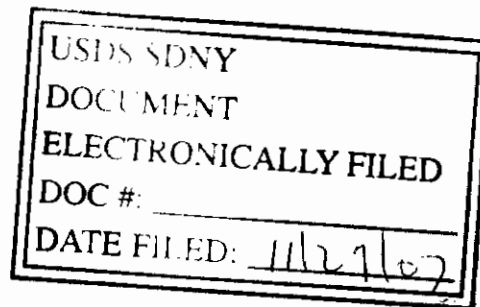


HARTMAN & CRAVEN LLP
Peter G. Goodman (PG 4210)
488 Madison Avenue, 16th Floor
New York, New York 10022
(212) 753-7500

Attorneys for Plaintiff



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

NATIONAL UTILITY SERVICE, INC.,

Plaintiff,

-against-

TIFFANY & CO. and TIFFANY AND
COMPANY,

Defendants.

-----X

RICHARD J. SULLIVAN, District Judge:

At the conference before the Court held on Nov. 27, 2007 this Case Management Plan and Scheduling Order was adopted in accordance with Rules 16-26(f) of the Federal Rules of Civil Procedure.

1. All parties do not consent to trial by Magistrate Judge, pursuant to 28 U.S.C. § 636(c).
2. This case is to be tried to a jury.

3. No additional parties may be joined except with leave of the Court.
4. Amended pleadings may not be filed except with leave of the Court.
5. Initial disclosures pursuant to Rule 26(a)(1) will be completed not later than November 1, 2007.
6. All *fact* discovery is to be completed no later than March 14, 2008.
7. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by the parties on consent without application to the Court, provided the parties meet the fact discovery completion date in paragraph 6 above:
 - a. Initial request for production of documents to be served by November 1, 2007.
 - b. Interrogatories to be served by December 3, 2007.
 - c. Depositions to be completed by March 14, 2008.
 - i. Unless the parties agree or the Court so orders, depositions are not to be held until all parties have responded to initial requests for document production.
 - ii. There is no priority in deposition by reason of a party's status as plaintiff or defendant.
 - iii. Unless the parties agree or the Court so orders, non-party depositions shall follow initial party depositions.
 - d. Requests to Admit to be served no later than March 14, 2008.
8. All *expert* disclosures, including reports, production of underlying documents and depositions are to be completed by:
 - a. Expert(s) of Plaintiff(s) ~~June 16, 2008~~ April 15, 2008
 - b. Expert(s) of Defendant(s) ~~June 16, 2008~~ April 15, 2008
9. All discovery is to be completed no later than ~~June 29, 2008~~ April 15, 2008
10. The Court will schedule a post-discovery status conference (see ¶ 16) within three weeks of the close of all discovery. (May 15, 2008 at 4:15)
11. Pre-motion letters regarding dispositive motions, if any, are to be submitted no later than two weeks prior to the post-discovery status conference listed in ¶18. In accord

with this Court's Individual Rule 2.A, response letters thereto are to be submitted within three business days from service of the initial pre-motion letter.

↳ letters by March 30, 2008.

12. All counsel must meet for at least one hour to discuss settlement not later than two weeks following the close of fact discovery. Accordingly, Counsel for the parties have discussed holding a settlement conference before the Magistrate Judge or the Southern District's Mediation Program and request:

- a. ☒ Referral to a Magistrate Judge for settlement discussions
- b. Referral to the Southern District's Mediation Program

- settlement discussions by mid-January 2008

13. The Parties shall submit a Joint Pretrial Order prepared in accordance with the undersigned's Individual Practice Rule 3 and Rule 26(a)(3). If this action is to be tried before a jury, proposed *voir dire*, jury instructions and a verdict form shall be filed with the Joint Pretrial Order. Counsel are required to meet and confer on jury instructions and verdict form in an effort to make an agreed upon submission.

14. Parties have conferred and their present best estimate of the length of trial is 6 days.

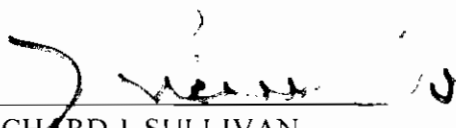
TO BE COMPLETED BY THE COURT:

16. [Other directions to the parties:]

17. The post-discovery status conference is scheduled for May 15, 2008 at 4/5.

SO ORDERED.

DATED: New York, New York
Nov. 27, 2007



RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE